

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PATRICIA SCHWEND, <i>n/k/a</i>)	
PATRICIA SCHWEND-McCUMMISKEY,)	
)	
Plaintiff,)	Case No. 4:10-cv-01590-CDP
vs.)	
)	
US BANK, N.A., et al.)	
)	
Defendants.)	

**DEFENDANTS' CONSENT MOTION FOR ADDITIONAL TIME
TO RESPOND TO THE SECOND AMENDED CLASS ACTION COMPLAINT**

Defendants US Bank, N.A., Wells Fargo Home Mortgage¹, d/b/a America's Servicing Company, and Wachovia Bank, N.A. (collectively "Defendants"), by and through their counsel, Bryan Cave LLP, hereby move for the entry of an Order extending the November 10, 2011 deadline for Defendants to file a responsive pleading to Plaintiff Patricia Schwend-McCummiskey's ("Plaintiff") Second Amended Class Action Complaint an additional sixteen (16) days, up to and including November 28, 2011. In support of their motion, Defendants state as follows:

1. On October 24, 2011, this Court issued an Order granting Plaintiff's Motion to Amend the Complaint into a Class Action Complaint. The Order provided that the Class Action Complaint was deemed entered as of the day the Order.
2. Pursuant to Federal Rules of Civil Procedure 6(d) and 15(a)(3), a response to Plaintiff's Second Amended Class Action Complaint would be due November 10, 2011.
3. With consent of Plaintiff's counsel, Defendants request an additional 16 days, up to and including November 28, 2011, in order to allow Defendants to adequately prepare a response to Plaintiff's Second Amended Class Action Complaint.

¹ Wells Fargo Home Mortgage does not operate as a separate entity. Rather, Wells Fargo Home Mortgage operates as a division of Wells Fargo Bank, N.A. For purposes of this action Wells Fargo Bank, N.A. is the real party of interest.

4. The requested extension is not for the purpose of delay.

WHEREFORE, Defendants respectfully request an Order extending the November 10, 2011 deadline for Defendants to file a responsive pleading to Plaintiff's Second Amended Class Action Complaint an additional sixteen (16) days, up to and including November 28, 2011, and any further relief as this Court deems just and proper.

Respectfully submitted,

BRYAN CAVE, LLP

/s/ Ashley H. Nall

Ashley H. Nall, USDC #: 59960MO
161 North Clark Street, Suite 4300
Chicago, Illinois 60601
Telephone: (312) 602-5097
Fax: (312) 698-7497
E-mail: ashley.nall@bryancave.com

Eric D. Martin, USDC #: 67275MO
One Metropolitan Square
211 North Broadway, Suite 3600
St. Louis, MO 63102
Telephone: (314) 259-2000
Fax: (314) 259-2020
E-mail: eric.martin@bryancave.com

*Attorneys for Defendants US Bank, N.A. and Wells Fargo
Home Mortgage, d/b/a America's Servicing Company, and
Wachovia Bank, N.A.*

CERTIFICATE OF SERVICE

I, hereby certify that on November 9, 2011, the foregoing was filed electronically with the Clerk of Court to be served to the following by operation of the Court's electronic filing system:

Gregory P. White
8000 Bonhomme, Suite 316
Clayton, Missouri 63105

Peter M. Westoff
7751 Carondelet, Suite 800
Clayton, Missouri 63105

John Campbell
800 Market Street, Suite 1700
St. Louis, Missouri 63101

Attorneys for Plaintiff

/s/ Ashley H. Nall
Ashley H. Nall, USDC #: 59960MO
161 North Clark Street, Suite 4300
Chicago, Illinois 60601
Telephone: (312) 602-5097
Fax: (312) 698-7497
E-mail: ashley.nall@bryancave.com